

Chapter 5.72

OUTDOOR ADVERTISERS

Sections:

5.72.010 Prohibition.

5.72.020 Definitions.

5.72.030 Penalty for noncompliance.

5.72.040 Costs.

5.72.050 Existing billboards.

5.72.060 Severability.

5.72.010 Prohibition.

All billboards are prohibited within the city.

5.72.020 Definitions.

A. "Billboard" is hereby defined as any freestanding ground sign that is designed or intended to direct attention to a business, product, service or other commercial activity that is not sold, offered, or existing on the property where the sign is located. Each billboard shall be considered a separate business for which a separate business license must be obtained upon payment of the general business license fee and all other applicable fees and charges under this code;

B. "Existing, non-conforming billboard" is hereby defined as a billboard physically constructed, in place and being used for advertising purposes as of the city's incorporation on 14 January 2005. The term does not include a prospective or anticipated billboard for which Salt Lake County issued a permit on or prior to the city's incorporation on 14 January 2005. Each existing, non-conforming billboard shall be considered a separate business for which a separate business license must be obtained upon payment of the general business license fee and all other applicable fees and charges under this code.

5.72.030 Penalty for noncompliance.

Any person, firm, corporation or other business entity, whether acting as owner or

occupant of the premises involved, or contractor, or otherwise, who violates this chapter shall be guilty of a misdemeanor and, upon conviction, shall be sentenced to pay a fine and to a term of imprisonment to the maximum amount provided in *Utah Code Ann.* § 10-3-703. A separate offense shall be deemed to be committed on each day an offense occurs or continues.

5.72.040 Costs.

Costs incurred by the city in removing any billboard erected in violation of this chapter shall be charged to the owner or the entity having charge, control or benefit of the billboard.

5.72.050 Existing billboards.

Existing, non-conforming billboards are exempt from the prohibition on billboards in section 5.72.010 of this chapter; provided, however, that any existing, non-conforming billboard located on premises owned by a third party lessor, licensor or the like shall be exempt from the prohibition on billboards in section 5.72.010 of this chapter only until expiration of the term for which such premises were leased or licensed for billboard purposes. In no event may the use of any existing, non-conforming billboard be expanded, increased or extended in any way, including, without limitation, by increasing the height or size of such billboard. Further, the term of any such lease or license shall not be extended beyond the original term unless one or more options to extend the original term are specified in a written agreement for the lease or license of such premises actually in existence as of the city's incorporation on 14 January 2005 and such option(s) was formally exercised as required by such pre-existing lease or license agreement prior to the city's incorporation on 14 January 2005. If any such option(s) to extend the original term of any such pre-existing lease or license agreement was so exercised prior to the city's incorporation on 14 January

2005, then the existing, non-conforming billboard in question shall be exempt from the prohibition on billboards in this chapter only until expiration of the term of such lease or license agreement, as so extended.

5.72.060 Severability.

If any provision or clause of this chapter or the application thereof to any person, entity or circumstances is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect any other sections, provisions, clauses or application hereof which can be implemented without the invalid provision, clause or application. To this end, the provisions and clauses of this chapter are declared to be severable.